

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

ATTORNEY GENERAL

February 16, 1988

KATHY JOHNSON

CHRISTIE B. ELLER
Assistant Attorney General

6-6839

In the Matter of the Adopted Rule Relating to
Home Improvement Grants and Rehabilitation
Loans Program

The above-referenced rule has been approved as to its legality by the Attorney General on February 6, 1989.

Enclosed is the agency's copy of the approved rule. This office has already filed two copies with the Secretary of State who will forward one copy to the Revisor of Statutes. The fourth is being retained by this division of the Attorney General's Office for its records.

Also enclosed are any petitions, requests, submission or comments received by the agency and any extra copies of documents which the agency submitted to the Attorney General.

In order for a permanent rule without a hearing to become effective, your agency must publish a notice of adoption in the State Register in accoradance with Minn. Stat. §14.27. An emergency rule becomes effective five working days after approval by the Attorney General; however, the agency must publish a notice in the State Register in accordance with Minn. Stat. §14.34.

If you have any questions in this regard, please contact me.

MJC:rer
Enclosures

cc: Maryanne Hruby
Executive Director
Legislative Commission to Review
Administrative Rules

William Brown
Chief Administrative Law Judge
Office of Administrative Hearings

MINNESOTA HOUSING FINANCE AGENCY

Recd 1/27/89 OK RMD

January 27, 1989

Ms. Rita Desmond
Attorney General Office
515 Transportation Building
St. Paul, Minnesota 55155

RE: In the Matter of the Proposed Rules Relating to Home Improvement Grants and Rehabilitation Loan Program Without a Public Hearing

Dear Ms. Desmond:

Enclosed please find for your review pursuant to Minnesota Statutes Sections 14.21 through 14.28, the adopted rules of the Minnesota Housing Finance Agency.

The following materials are submitted to you for your review pursuant to Minnesota Rules, Part 2000.0400:

Rule as Adopted;

Order Adopting;

Certificate of Board's Resolution Adopting the Rule;

Order of Notice to Adopt Rule Without a Public Hearing;

Certificate of Agency's Authorizing Resolution;

Notice of Intent to Adopt Rule Without a Public Hearing;

Affidavit of Mailing Notice of Intent to Adopt a Rule Without a Public Hearing;

Mailing List Certificate;

Rule as Proposed;

Findings of Fact, Conclusions, and Order Adopting Rule Without Public Hearing;

Statement of Need and Reasonableness; and

Certificate of Compliance with Rulemaking Procedures.

400 Sibley Street, Suite 300, St. Paul, Minnesota 55101 (612) 296-7608 Telecopier (612) 296-8139
Equal Opportunity Housing and Equal Opportunity Employment

The Agency did not publish a Notice of Intent to Solicit Outside Opinion in connection with this rule. No requests for a hearing were received during the 30 day comment period. The Agency did not receive any comments during the 30 day comment period, nor did it receive any requests from persons desiring notice of the date of submission of the proposed rule to the Attorney General. The Adopted rules are the same as the Proposed rules.

Sincerely,

Robin Hanson

Robin Hanson
Director of Finance

RH/kjj

Encs.

CBE

RULE REVIEW CHECKLIST

File No. 1566 — Docket No. 05.0009.0450

DATE RECEIVED 1/27/89 — ADOPTED W/O HEARING X

REVIEW DATE 2/6/89 — EMERGENCY RULE _____

DUE DATE 2/10/89 — REVISOR APPROVED _____

APPROVED 2/6/89 — REVISOR DISAPPROVED _____

DISAPPROVED _____ — FILED W/SEC. OF STATE _____

WITHDRAWN _____ — RETURNED TO AGENCY _____

✓ Rule as adopted (4 copies)

_____ Notice to Solicit Outside Information/Opinion (if applicable)
- _____ Date published in State Register
- _____ Comments

_____ Petition for Adoption of a Rule (if applicable)

✓ Board's Authorizing Resolution
- 10/27/88 Date adopted

✓ Proposed Rule
- Yes Revisor's Certificate

✓ Notice of Intent to Adopt Rule
- 462A.016 Statutory Authority
- no Small Business Statement
- yes Expenditure of public money statement
- yes Signature

✓ Statement of Need and Reasonableness (if applicable)
- yes Small Business Statement
- n/a Fees - § 16A.128

✓ Affidavit of Mailing Notice of Intent to Adopt Rule
- 11/23/88 Date (30)/25 days before adoption
- yes Notice attached
- yes Copy of rule or summary attached

✓ Publication in State Register
- 11/28/88 Date (30)/25 days before adoption

_____ 180-day deadline from:
- N/A Effective date of law requiring rule (14.12) (both rules)
- 12/28/88 end of comment period (§ 14.26) (rules without hearing)
- _____ ~~effective date of statutory authority (§ 14.29) (emergency rules)~~

✓ Resolution Adopting
- 1/24/89 Date adopted

✓ Findings of Fact, Conclusions & Order Adopting
- 1/26/89 Date

_____ ~~Written requests, submissions or comments~~

✓ Declaration of attorney
- Karl Herman Name of SAAG representing agency

✓ Mailing List Certificate
~~Notice of Submission to Atty. Gen. (if applicable)~~
Order for Notice of Intent to Adopt Rules.

✓ ~~Aff. of Mailing Notice to Atty. Gen. (if applicable)~~

Minnesota Housing Finance Agency

Adopted Permanent Rules Relating to Home Improvement Grants and Rehabilitation Loans Program

Rules as Adopted

4900.0010 DEFINITIONS.

Subpart 1. to 22. [Unchanged.]

Subp. 23. **Persons and families of low and moderate income.** "Persons and families of low and moderate income" means:

A. to C. [Unchanged.]

D. With respect to home improvement grants and rehabilitation loans pursuant to parts 4900.0610 to 4900.0700 to be made by the agency, those persons and families whose assets do not exceed $25,000, and

(1) with respect to home improvement grants and rehabilitation loans defined in part 4900.0610 as deferred loans, those persons and families whose adjusted income does not exceed $7,000; or

(2) with respect to rehabilitation loans defined in part 4900.0610 as revolving loans, those persons and families:

(a) in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington whose adjusted income does not exceed $15,000; and

(b) in all other counties whose adjusted income does not exceed $12,000.

E. [Unchanged.]

4900.0610 SCOPE.

Rules in parts 4900.0610 to 4900.0700 govern the home improvement grant program authorized by Minnesota Statutes, section 462A.05, subdivision 15 and the rehabilitation loan program authorized by Minnesota Statutes, section 462A.05, subdivision 14a. The agency is authorized to make rehabilitation loans with or without interest or periodic payments. In parts 4900.0610 to 4900.0700 loans made with

interest and periodic payments shall be referred to as " revolving loans" and loans made without interest or periodic payments shall be referred to as "deferred loans."

4900.0630 ELIGIBLE RECIPIENTS OF REHABILITATION GRANTS AND LOANS.

Subpart 1. to 3. [Unchanged.]

Subp. 4. **Deferred loan assets.** "Assets" for purposes of deferred loans described in parts 4900.0610 to 4900.0700 is the sum of the following, after deducting any outstanding indebtedness:

A. to E. [Unchanged.]

Subp. 5. **Revolving loan assets.** Assets for the purposes of revolving loans is the sum of the following, after deducting any outstanding indebtedness:

A. cash on hand or in checking or savings accounts;

B. securities or United States Savings Bonds;

C. market value of all interests in real estate, exclusive of the structure to be improved and a parcel of real property of not more than two contiguous platted lots or 160 contiguous acres on which such structure is located;

D. cash value of life insurance policies; and

E. all other property, exclusive of household furnishings, clothing, one automobile, and real estate, equipment, supplies, and inventory used in a business.

Subp. 6. **Previous revolving loans.** No applicant may receive a revolving loan to improve a property if the combined original principal amounts of revolving loans received by the applicant to improve the property will exceed $15,000, or if the outstanding balance of revolving loans will exceed the maximum loan amount in part 4900.0640, subpart 2.

Subp. 7. **Other assistance.** Applicants for receipt of revolving loans cannot be eligible for assistance provided under parts 4900.0510 to 4900.0520 and 4900.0590 to 4900.0605; or for local or federal government housing rehabilitation financing programs which may be available in the area in which the property is located.

4900.0640 AMOUNT OF GRANT OR LOAN.

Subpart 1. [Unchanged.]

Subp. 2. **Amount of loan.** The amount of the rehabilitation loan shall not exceed the lesser of the amount in Minnesota Statutes, section 462A.05, subdivision 14a, the actual cost of the work performed, or that portion of the cost of rehabilitation that the agency determines cannot otherwise be paid by the person or family without spending an unreasonable portion of the income of the person or family thereon.

Subp. 3. [See Repealer.]

4900.0660 ELIGIBLE PROPERTIES.

Grant and loan funds shall be used only to improve properties which meet the following criteria:

A. to C. [Unchanged.]

D. No property shall be eligible for a home improvement grant or deferred loan if it has been improved by such a grant or loan within the five-year period immediately preceding the date on which application for such grant or loan is made. No property is eligible for a revolving loan if it has been improved by a revolving loan within the two-year period immediately preceding the date on which application for the loan is made. These limitations do not apply in extraordinary circumstances relating to damage to the property as a result of events beyond the control of the applicant or to failure of plumbing, heating, or electrical systems, or defects in the roof or foundation systems, as determined by the agency in its sole discretion.

E. [Unchanged.]

REPEALER. Minnesota Rules, part 4900.0640, subpart 3, is repealed.

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

FEB 16 1989

Joan Anderson Growe

Secretary of State

9:40 AM

APPROVED AS TO FORM AND LEGALITY

Feb 6 19 89

HUBERT H. HUMPHREY, III
ATTORNEY GENERAL
BY Christine B Ellis
ASSISTANT ATTORNEY GENERAL

CERTIFICATE OF AGENCY'S

AUTHORIZING RESOLUTION

I, Robert A. Worthington, do hereby certify that I am Chairman of the Minnesota Housing Finance Agency, an Agency duly authorized under the laws of the State of Minnesota, and that the following is a true, complete, and correct copy of a resolution adopted at a meeting of the Agency and properly called and held on the 27th day of October, 1988, that a quorum was present at said meeting, that a majority of those present voted for the resolution and that said resolution is set forth in the minutes of said meeting and has not been rescinded or modified.

> "RESOLVED, that James J. Solem, Commissioner of the Minnesota Housing Finance Agency, be and he hereby is authorized and directed to give public notice for the purpose of promulgating rules of the Minnesota Housing Finance Agency without a public hearing, said rules relating to Home Improvement Grants and Rehabilitation Loans Program as well as to perform any and all acts incidental thereto, including the signing of a notice of intent to adopt rules without a public hearing."

IN WITNESS WHEREOF, I have hereunto subscribed my name this 27th day of October, 1988.

Robert A. Worthington

Chairman

Minnesota Housing Finance Agency

Proposed Permanent Rules Relating to Home Improvement Grants and Rehabilitation Loans Program

Rules as Proposed

4900.0010 DEFINITIONS.

Subpart 1. to 22. [Unchanged.]

Subp. 23. **Persons and families of low and moderate income.** "Persons and families of low and moderate income" means:

A. to C. [Unchanged.]

D. With respect to home improvement grants and rehabilitation loans pursuant to parts 4900.0610 to 4900.0700 to be made by the agency, those persons and families ~~whose adjusted income does not exceed $7,000 and~~ whose assets~~, excluding the property to be improved,~~ do not exceed $25,000, and

(1) with respect to home improvement grants and rehabilitation loans defined in part 4900.0610 as deferred loans, those persons and families whose adjusted income does not exceed $7,000; or

(2) with respect to rehabilitation loans defined in part 4900.0610 as revolving loans, those persons and families:

(a) in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington whose adjusted income does not exceed $15,000; and

(b) in all other counties whose adjusted income does not exceed $12,000.

E. [Unchanged.]

4900.0610 SCOPE.

Rules in parts 4900.0610 to 4900.0700 govern the home improvement grant program authorized by Minnesota Statutes, section 462A.05, subdivision 15 and the rehabilitation loan program authorized by Minnesota Statutes, section 462A.05, subdivision 14a. The agency is authorized to make rehabilitation loans with or without interest or periodic

Approved by Revisor

payments. In parts 4900.0610 to 4900.0700 loans made with interest and periodic payments shall be referred to as "~~flexible~~ revolving loans" and loans made without interest or periodic payments shall be referred to as "deferred loans."

~~In addition to the requirements of parts 4900.0610 to 4900.0700, a flexible loan must meet the requirements of parts 4900.0510 and 4900.0520, except that the applicant for a flexible loan need not be a reasonable credit risk as required in part 4900.0510, subpart 3, and the structure to be improved need not be at least 15 years old as required by part 4900.0510, subpart 4.~~

4900.0630 ELIGIBLE RECIPIENTS OF REHABILITATION GRANTS AND LOANS.

Subpart 1. to 3. [Unchanged.]

Subp. 4. Deferred loan assets. "Assets" for purposes of deferred loans described in parts 4900.0610 to 4900.0700 ~~shall be~~ is the sum of the following, after deducting any outstanding indebtedness:

A. to E. [Unchanged.]

Subp. 5. Revolving loan assets. Assets for the purposes of revolving loans is the sum of the following, after deducting any outstanding indebtedness:

A. cash on hand or in checking or savings accounts;

B. securities or United States Savings Bonds;

C. market value of all interests in real estate, exclusive of the structure to be improved and a parcel of real property of not more than two contiguous platted lots or 160 contiguous acres on which such structure is located;

D. cash value of life insurance policies; and

E. all other property, exclusive of household furnishings, clothing, one automobile, and real estate, equipment, supplies, and inventory used in a business.

Subp. 6. Previous revolving loans. No applicant may receive a revolving loan to improve a property if the combined original principal amounts of revolving loans received by the applicant to improve the property will exceed $15,000, or if the

Approved by Revisor _____

outstanding balance of revolving loans will exceed the maximum loan amount in part 4900.0640, subpart 2.

Subp. 7. **Other assistance.** Applicants for receipt of revolving loans cannot be eligible for assistance provided under parts 4900.0510 to 4900.0520 and 4900.0590 to 4900.0605; or for local or federal government housing rehabilitation financing programs which may be available in the area in which the property is located.

4900.0640 AMOUNT OF GRANT OR LOAN.

Subpart 1. [Unchanged.]

Subp. 2. **Amount of loan.** The amount of the rehabilitation loan shall not exceed the lesser of ~~$7,500~~ the amount in Minnesota Statutes, section 462A.05, subdivision 14a, the actual cost of the work performed, or that portion of the cost of rehabilitation that the agency determines cannot otherwise be paid by the person or family without spending an unreasonable portion of the income of the person or family thereon.

Subp. 3. [See Repealer.]

4900.0660 ELIGIBLE PROPERTIES.

Grant and loan funds shall be used only to improve properties which meet the following criteria:

A. to C. [Unchanged.]

D. No property shall be eligible for a home improvement grant or deferred loan if it has been improved by such a grant or loan within the five-year period immediately preceding the date on which application for such grant or loan is made~~, except~~. No property is eligible for a revolving loan if it has been improved by a revolving loan within the two-year period immediately preceding the date on which application for the loan is made. These limitations do not apply in extraordinary circumstances relating to damage to the property as a result of events beyond the control of the applicant or to failure of plumbing, heating, or electrical systems, or defects in the roof or foundation systems, as determined by the agency in its sole discretion.

Approved by Revisor _____

E. [Unchanged.]

REPEALER. Minnesota Rules, part 4900.0640, subpart 3, is repealed.

Approved
by Revisor _____

Office of the Revisor of Statutes

Administrative Rules

TITLE: Proposed Permanent Rules Relating to Home Improvement Grants and Rehabilitation Loans Program

AGENCY: Minnesota Housing Finance Agency

MINNESOTA RULES: Chapter 4900

The attached rules are approved for publication in the State Register

Paul M. Marinac
Assistant Deputy Revisor

MINNESOTA HOUSING FINANCE AGENCY

In the Matter of the Proposed Rules Relating to Home Improvement Grants and Rehabilitation Loan Program

NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING

Notice is hereby given that the Minnesota Housing Finance Agency ("agency") proposes to adopt the above-entitled rules without a public hearing. The agency has determined that the proposed adoption of these rules will be noncontroversial in nature and has elected to follow the procedures set forth in Minn. Stat. Sec. 14.21 to 14.28.

Persons interested in these rules shall have 30 days to submit comments in support of or in opposition to the proposed rules within the 30-day comment period. Such comments are encouraged, and should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed. The proposed rule may be modified as the result of comments received if the modifications are supported by the data and views submitted to the agency and do not result in a substantial change in the proposed language. Unless twenty-five or more persons submit written requests for a public hearing on the proposed rule within the 30-day comment period, a public hearing will not be held. In the event a public hearing is required, the agency will proceed according to the provisions of Minn. Stat. Sec. 14.14 et seq. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed.

Persons who wish to submit comments or a written request for a public hearing should submit such comments or request to:

Kathleen J. Johnson
Legal Division
Minnesota Housing Finance Agency
Suite 300
400 Sibley Street
St. Paul, Minnesota 55101
Telephone: 612/296-9794

Authority for the adoption of these rules is contained in Minn. Stat. Sec. 462A.06, Subd. 4 and 11. Additionally, a Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rules, and that identifies the data and information relied upon to support the proposed rules has been prepared and is available from Kathleen J. Johnson upon request.

Upon adoption of the final rules without a public hearing, the proposed rules, this notice, the Statement of Need and Reasonableness, all written comments received, and the final rules as adopted will be delivered to a designee of the Attorney General for review as to form and legality, including the issue of substantial change, and to determine whether the agency has the authority to adopt the rules and

whether the record demonstrates a rational basis for the need for and reasonableness of the proposed rules. Persons who wish to receive notice of the date of submission of these rules to the Attorney General for review, or who wish to receive a free copy of the final rules as adopted, should make such requests to Kathleen J. Johnson.

A copy of the proposed rule is attached to this notice. Additional copies may be obtained by contacting Kathleen J. Johnson.

Please be advised that Minn. Stat. Ch. 10A.03 requires each lobbyist to register with the State Ethical Practices Board within five (5) days after he or she commences lobbying. A lobbyist is defined in Minn. Stat. Sec. 10A.01, Subd. 11 as any individual:

(a) Engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than $250.00, not including his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or

(b) Who spends more than $250.00, not including his own traveling expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.

The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 625 North Robert Street, St. Paul, Minnesota 55101-2520 (612) 296-5615.

Dated: November 23, 1988

James J. Solem
Commissioner

State of Minnesota

Minnesota Housing Finance Agency

In the Matter of the Proposed
Adoption of Rules of the Minnesota
Housing Finance Agency Governing
Rehabilitation Loans

Statement of Need & Reasonableness

4900.0010

This part sets forth definitions for the purpose of Parts 4900.0610 to 4900.0700.

Subp. 23

The Agency has adopted a policy of providing housing rehabilitation financing assistance to individuals and families which do not meet the eligibility criteria for deferred rehabilitation loans or other assistance. The policy provides financing on the most advantageous terms (deferred loans) to applicants with the lowest income and the least assets. Applicants with higher incomes and more assets may qualify for loans requiring monthly payments of principal and interest (revolving loans).

Subpart 23D., in conjunction with 4900.0630, Subpart 4, defines assets for each of the two kinds of assistance. The establishment of separate income limits for the twin cities metropolitan area and the rest of the state recognizes the difference in income levels between these two regions. The changes in Subpart 23D. are necessary to implement the policy adopted by the Agency Board of Directors, as identified, above.

4900.0610

This part sets forth the scope of the Home Improvement Grant Program and the Rehabilitation Loan Program. Loans with interest and periodic payments will now be referred to as revolving loans rather than flexible loans. This revision is reasonable to more accurately reflect the nature of the program; all repayments go back in to the program to be loaned to other persons or families.

The rule requiring applicants for flexible loans to meet the requirements of parts 4900.0510 to 4900.0520 have been eliminated. Prior to this time, flexible loans were financed with the proceeds of tax-exempt bonds and insured by the federal government. To maintain the tax-exempt status of the bonds and the federal insurance, flexible loans had to meet the requirements of 4900.0510 to 4900.0520. Because Revolving loans will not be funded by tax-exempt bonds, nor will they be insured by the federal government, this change is reasonable. The change is also necessary to avoid program requirements which serve no purpose.

4900.0630

This part establishes eligibility criteria for recipients of rehabilitation grants and loans.

Subp. 4

The definition of assets for deferred loans is necessary to implement the Agency policy of providing financing on the most advantageous terms to those applicants with the fewest assets.

The definition of assets for the revolving loan program is expanded beyond the definition of assests for deferred loans to include up to 160 contiguous acres of land and real estate, equipment, supplies and inventory used in a business. This is necessary to implement the Agency policy of providing housing rehabilitation financing assistance to individuals who are not eligible for deferred loans, but who may not be eligible for other financing. This limit is reasonable because it coincides with the DOE Weatherization program asset limits which will ease coordination of the programs, thereby improving the efficiency and effectiveness of the delivery of the programs.

Subp. 5

This subpart limits the total amount that can be borrowed by a person or family to $15,000 and the amount that can be owed at any one time to $7,500.

It is reasonable to limit the amount of assistance that can be obtained so that the scarce resources can be used to assist as many persons and families as possible. The $15,000 lifetime limit is the same limit that is applied to the Home Improvement Loan Program. The outstanding balance restriction is the Rehabilitation Loan Program limit.

Subp. 6

This subpart specifies that eligible applicants can not be eligible for the necessary assistance through any other available program.

This rule insures that the funds are used as a last resort for individuals who have no other means of financing the project.

4900.0640

This part establishes the loan limit for recipients of rehabilitation grants and loans.

Subp. 2

This subpart ties the loan limit to the amount designated in the appropriate statute.

This eliminates the need to revise the rules when the statute is revised.

Subp. 3

This subpart sets forth standards to determine a borrower's eligibility for a deferred loan or flexible loan. The subpart is deleted to simplify the determination of the type of assistance for which borrowers may qualify.

4900.0660

This part establishes the criteria for property eligibility.

Subp. D

This subpart clarifies that no property is eligible for a deferred loan if it has been improved by such a loan within five years except under extraordinary circumstances. It also specifies that no property is eligible for a revolving loan if it has been improved by such a loan within two years except under extraordinary circumstances. The five year limitation for deferred loans is reasonable and necessary to ensure that the property is rehabilitated to the maximum extent possible, given the loan limit, thereby minimizing the Agency's administrative expenses.

The two-year limitation for revolving loans is reasonable in recognition of the fact that individuals who wil be required to make monthly loan payments may not be able to afford complete rehabilitation at the time they take out their loan. After two years, their loan may be paid down to a level that would permit them to take a second loan to complete the necessary rehabilitation.

The Agency is cognizant of the provisions of Section 14.115 of Minnesota Statutes, entitled Small Business Considerations in Rulemaking. To the extent that the rehabilitation loan and grant funds directly benefit the low income occupant's in structures within the Agency's Program, the statute is inapplicable. To the extent that the funds may inure to the benefit of small businesses, the proposed rules do not establish any compliance or reporting requirements, design or operational standards not mandated by the federal government, and the effect of the Agency's Program in making the loan and grant funds available is to make decent, safe, and sanitary housing affordable for low income persons and, as a consequence, the proposed regulations have no negative effect on small businesses.

STATE OF MINNESOTA

COUNTY OF RAMSEY

In the Matter of the Proposed
Rules Relating to
Home Improvement Grants and
Rehabilitation Loan Program
Without a Public Hearing

AFFIDAVIT
OF MAILING

Kathleen J. Johnson, being first duly sworn, deposes and says:

That on the 23rd day of November, 1988, at the City of St. Paul, County of Ramsey, State of Minnesota, she served the attached Notice of Intent to Adopt Rules Without a Public Hearing by depositing in the United States mail at said City of St. Paul, a copy thereof, properly enveloped, with postage prepaid to all persons and associations who have requested that their names be placed on file with the Minnesota Housing Finance Agency for the purpose of receiving notice of the proposed adoption of rules by this Agency.

Kathleen J. Johnson

Kathleen J. Johnson

Subscribed and sworn to before
me this ~~23rd~~ day of ~~November,~~
~~1988.~~ 27th January,
1989.

Susan K. Noren
Notary Public

SUSAN K. NOREN
NOTARY PUBLIC-MINNESOTA
RAMSEY COUNTY
MY COMMISSION EXPIRES APRIL 8, 1991

MINNESOTA HOUSING FINANCE AGENCY

In the Matter of the Proposed Rules Relating to Home Improvement Grants and Rehabilitation Loan Program

NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING

Notice is hereby given that the Minnesota Housing Finance Agency ("agency") proposes to adopt the above-entitled rules without a public hearing. The agency has determined that the proposed adoption of these rules will be noncontroversial in nature and has elected to follow the procedures set forth in Minn. Stat. Sec. 14.21 to 14.28.

Persons interested in these rules shall have 30 days to submit comments in support of or in opposition to the proposed rules within the 30-day comment period. Such comments are encouraged, and should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed. The proposed rule may be modified as the result of comments received if the modifications are supported by the data and views submitted to the agency and do not result in a substantial change in the proposed language. Unless twenty-five or more persons submit written requests for a public hearing on the proposed rule within the 30-day comment period, a public hearing will not be held. In the event a public hearing is required, the agency will proceed according to the provisions of Minn. Stat. Sec. 14.14 et. seq. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed.

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Kathleen J. Johnson
Legal Division
Minnesota Housing Finance Agency
Suite 300
400 Sibley Street
St. Paul, Minnesota 55101
Telephone: 612/296-9794

Authority for the adoption of these rules is contained in Minn. Stat. Sec. 462A.06, Subd. 4 and 11. Additionally, a Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rules, and that identifies the data and information relied upon to support the proposed rules has been prepared and is available from Kathleen J. Johnson upon request.

Upon adoption of the final rules without a public hearing, the proposed rules, this notice, the Statement of Need and Reasonableness, all written comments received, and the final rules as adopted will be delivered to a designee of the Attorney General for review as to form and legality, including the issue of substantial change, and to determine whether the agency has the authority to adopt the rules and

whether the record demonstrates a rational basis for the need for and reasonableness of the proposed rules. Persons who wish to receive notice of the date of submission of these rules to the Attorney General for review, or who wish to receive a free copy of the final rules as adopted, should make such requests to Kathleen J. Johnson.

A copy of the proposed rule is attached to this notice. Additional copies may be obtained by contacting Kathleen J. Johnson.

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(a) Engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than $250.00, not including his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or

(b) Who spends more than $250.00, not including his own traveling expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.

The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 625 North Robert Street, St. Paul, Minnesota 55101-2520 (612) 296-5615.

Dated: November 23, 1988

James J. Solem
Commissioner

MINNESOTA HOUSING FINANCE AGENCY

In the Matter of the Proposed Rules Relating to Home Improvement Grants and Rehabilitation Loan Program

NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING

Notice is hereby given that the Minnesota Housing Finance Agency ("agency") proposes to adopt the above-entitled rules without a public hearing. The agency has determined that the proposed adoption of these rules will be noncontroversial in nature and has elected to follow the procedures set forth in Minn. Stat. Sec. 14.21 to 14.28.

Persons interested in these rules shall have 30 days to submit comments in support of or in opposition to the proposed rules within the 30-day comment period. Such comments are encouraged, and should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed. The proposed rule may be modified as the result of comments received if the modifications are supported by the data and views submitted to the agency and do not result in a substantial change in the proposed language. Unless twenty-five or more persons submit written requests for a public hearing on the proposed rule within the 30-day comment period, a public hearing will not be held. In the event a public hearing is required, the agency will proceed according to the provisions of Minn. Stat. Sec. 14.14 et. seq. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed.

Persons who wish to submit comments or a written request for a public hearing should submit such comments or request to:

Kathleen J. Johnson
Legal Division
Minnesota Housing Finance Agency
Suite 300
400 Sibley Street
St. Paul, Minnesota 55101
Telephone: 612/296-9794

Authority for the adoption of these rules is contained in Minn. Stat. Sec. 462A.06, Subd. 4 and 11. Additionally, a Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rules, and that identifies the data and information relied upon to support the proposed rules has been prepared and is available from Kathleen J. Johnson upon request.

Upon adoption of the final rules without a public hearing, the proposed rules, this notice, the Statement of Need and Reasonableness, all written comments received, and the final rules as adopted will be delivered to a designee of the Attorney General for review as to form and legality, including the issue of substantial change, and to determine whether the agency has the authority to adopt the rules and

whether the record demonstrates a rational basis for the need for and reasonableness of the proposed rules. Persons who wish to receive notice of the date of submission of these rules to the Attorney General for review, or who wish to receive a free copy of the final rules as adopted, should make such requests to Kathleen J. Johnson.

A copy of the proposed rule is attached to this notice. Additional copies may be obtained by contacting Kathleen J. Johnson.

Please be advised that Minn. Stat. Ch. 10A.03 requires each lobbyist to register with the State Ethical Practices Board within five (5) days after he or she commences lobbying. A lobbyist is defined in Minn. Stat. Sec. 10A.01, Subd. 11 as any individual:

(a) Engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than $250.00, not including his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or

(b) Who spends more than $250.00, not including his own traveling expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.

The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 625 North Robert Street, St. Paul, Minnesota 55101-2520 (612) 296-5615.

Dated: November 23, 1988

James J. Solem
Commissioner

Minnesota Housing Finance Agency

Proposed Permanent Rules Relating to Home Improvement Grants and Rehabilitation Loans Program

Rules as Proposed

4900.0010 DEFINITIONS.

Subpart 1. to 22. [Unchanged.]

Subp. 23. **Persons and families of low and moderate income.** "Persons and families of low and moderate income" means:

A. to C. [Unchanged.]

D. With respect to home improvement grants and rehabilitation loans pursuant to parts 4900.0610 to 4900.0700 to be made by the agency, those persons and families ~~whose adjusted income does not exceed $7,000 and~~ whose assets~~, excluding the property to be improved,~~ does do not exceed $25,000, and

(1) with respect to home improvement grants and rehabilitation loans defined in part 4900.0610 as deferred loans, those persons and families whose adjusted income does not exceed $7,000; or

(2) with respect to rehabilitation loans defined in part 4900.0610 as revolving loans, those persons and families:

(a) in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington whose adjusted income does not exceed $15,000; and

(b) in all other counties whose adjusted income does not exceed $12,000.

E. [Unchanged.]

4900.0610 SCOPE.

Rules in parts 4900.0610 to 4900.0700 govern the home improvement grant program authorized by Minnesota Statutes, section 462A.05, subdivision 15 and the rehabilitation loan program authorized by Minnesota Statutes, section 462A.05, subdivision 14a. The agency is authorized to make rehabilitation loans with or without interest or periodic

Approved by Revisor

payments. In parts 4900.0610 to 4900.0700 loans made with interest and periodic payments shall be referred to as "~~flexible~~ revolving loans" and loans made without interest or periodic payments shall be referred to as "deferred loans."

~~In addition to the requirements of parts 4900.0610 to 4900.0700, a flexible loan must meet the requirements of parts 4900.0510 and 4900.0520, except that the applicant for a flexible loan need not be a reasonable credit risk as required in part 4900.0510, subpart 3, and the structure to be improved need not be at least 15 years old as required by part 4900.0510, subpart 4.~~

4900.0630 ELIGIBLE RECIPIENTS OF REHABILITATION GRANTS AND LOANS.

Subpart 1. to 3. [Unchanged.]

Subp. 4. Deferred loan assets. "Assets" for purposes of deferred loans described in parts 4900.0610 to 4900.0700 ~~shall be~~ is the sum of the following, after deducting any outstanding indebtedness:

A. to E. [Unchanged.]

Subp. 5. Revolving loan assets. Assets for the purposes of revolving loans is the sum of the following, after deducting any outstanding indebtedness:

A. cash on hand or in checking or savings accounts;

B. securities or United States Savings Bonds;

C. market value of all interests in real estate, exclusive of the structure to be improved and a parcel of real property of not more than two contiguous platted lots or 160 contiguous acres on which such structure is located;

D. cash value of life insurance policies; and

E. all other property, exclusive of household furnishings, clothing, one automobile, and real estate, equipment, supplies, and inventory used in a business.

Subp. 6. Previous revolving loans. No applicant may receive a revolving loan to improve a property if the combined original principal amounts of revolving loans received by the applicant to improve the property will exceed $15,000, or if the

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outstanding balance of revolving loans will exceed the maximum loan amount in part 4900.0640, subpart 2.

Subp. 7. **Other assistance.** Applicants for receipt of revolving loans cannot be eligible for assistance provided under parts 4900.0510 to 4900.0520 and 4900.0590 to 4900.0605; or for local or federal government housing rehabilitation financing programs which may be available in the area in which the property is located.

4900.0640 AMOUNT OF GRANT OR LOAN.

Subpart 1. [Unchanged.]

Subp. 2. **Amount of loan.** The amount of the rehabilitation loan shall not exceed the lesser of ~~$7,500~~ the amount in Minnesota Statutes, section 462A.05, subdivision 14a, the actual cost of the work performed, or that portion of the cost of rehabilitation that the agency determines cannot otherwise be paid by the person or family without spending an unreasonable portion of the income of the person or family thereon.

Subp. 3. [See Repealer.]

4900.0660 ELIGIBLE PROPERTIES.

Grant and loan funds shall be used only to improve properties which meet the following criteria:

A. to C. [Unchanged.]

D. No property shall be eligible for a home improvement grant or deferred loan if it has been improved by such a grant or loan within the five-year period immediately preceding the date on which application for such grant or loan is made~~, except~~. No property is eligible for a revolving loan if it has been improved by a revolving loan within the two-year period immediately preceding the date on which application for the loan is made. These limitations do not apply in extraordinary circumstances relating to damage to the property as a result of events beyond the control of the applicant or to failure of plumbing, heating, or electrical systems, or defects in the roof or foundation systems, as determined by the agency in its sole discretion.

Approved by Revisor _____

E. [Unchanged.]

REPEALER. Minnesota Rules, part 4900.0640, subpart 3, is repealed.

Approved
by Revisor _____

Office of the Revisor of Statutes

Administrative Rules

TITLE: Proposed Permanent Rules Relating to Home Improvement Grants and Rehabilitation Loans Program

AGENCY: Minnesota Housing Finance Agency

MINNESOTA RULES: Chapter 4900

The attached rules are approved for publication in the State Register

Paul M. Marinac
Assistant Deputy Revisor

Proposed Rules

Pursuant to Minn. Stat. §§ 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing, as long as the agency determines that the rules will be noncontroversial in nature. The agency must first publish a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register.* The notice must advise the public:

1. **that they have 30 days in which to submit comment on the proposed rules;**
2. **that no public hearing will be held unless 25 or more persons make a written request for a hearing within the 30-day comment period;**
3. **of the manner in which persons shall request a hearing on the proposed rules; and**
4. **that the rule may be modified if the modifications are supported by the data and views submitted.**

If, during the 30-day comment period, 25 or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of §§ 14.14-14.20, which state that if an agency decides to hold a public hearing, it must publish a notice of intent in the *State Register*.

Pursuant to Minn. Stat. §§ 14.29 and 14.30, agencies may propose emergency rules under certain circumstances. Proposed emergency rules are published in the *State Register* and, for at least 25 days thereafter, interested persons may submit data and views in writing to the proposing agency.

Minnesota Housing Finance Agency

Proposed Permanent Rules Relating to Home Improvement Grants and Rehabilitation Loans Program

Notice of Intent to Adopt a Rule Without a Public Hearing

NOTICE IS HEREBY GIVEN that the Minnesota Housing Finance Agency ("agency") proposes to adopt the above-entitled rules without a public hearing. The agency has determined that the proposed adoption of these rules will be noncontroversial in nature and has elected to follow the procedures set forth in *Minnesota Statutes* section 14.21 to 14.28.

Persons interested in these rules shall have 30 days to submit comments in support of or in opposition to the proposed rules within the 30-day comment period. Such comments are encouraged, and should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed. The proposed rule may be modified as the result of comments received if the modifications are supported by the data and views submitted to the agency and do not result in a substantial change in the proposed language. Unless twenty-five or more persons submit written requests for a public hearing on the proposed rule within the 30-day comment period, a public hearing will not be held. In the event a public hearing is required, the agency will proceed according to the provisions of *Minnesota Statutes* section 14.14 et. seq. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed.

Persons who wish to submit comments or a written request for a public hearing should submit such comments or request to:

Kathleen J. Johnson
Legal Division
Minnesota Housing Finance Agency
Suite 300
400 Sibley Street
St. Paul, Minnesota 55101
Telephone: 612/296-9794

Authority for the adoption of these rules is contained in *Minnesota Statutes* section 462A.06, Subdivision 4 and 11. Additionally, a Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rules, and that identifies the data and information relied upon to support the proposed rules has been prepared and is available from Kathleen J. Johnson upon request.

Upon adoption of the final rules without a public hearing, the proposed rules, this notice, the Statement of Need and Reasonableness, all written comments received, and the final rules as adopted will be delivered to a designee of the Attorney General for review as to form and legality, including the issue of substantial change, and to determine whether the agency has the authority to adopt the rules and whether the record demonstrates a rational basis for the need for and reasonableness of the proposed rules. Persons who wish to receive notice of the date of submission of these rules to the Attorney General for review, or who wish to receive a free copy of the final rules as adopted, should make such requests to Kathleen J. Johnson.

A copy of the proposed rule is attached to this notice. Additional copies may be obtained by contacting Kathleen J. Johnson.

Please be advised that *Minnesota Statutes* chapter 10A.03 requires each lobbyist to register with the State Ethical Practices Board within five (5) days after he or she commences lobbying. A lobbyist is defined in *Minnesota Statutes* section 10A.01, subdivision 11 as any individual:

(a) Engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than $250.00, not including his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or

(b) Who spends more than $250.00, not including his own traveling expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.

The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 625 North Robert Street, St. Paul, Minnesota 55101-2520 (612) 296-5615.

Dated: 23 November 1988

James J. Solem
Commissioner

Rules as Proposed

4900.0010 DEFINITIONS.

Subpart 1. to 22. [Unchanged.]

Subp. 23. **Persons and families of low and moderate income.** "Persons and families of low and moderate income" means:

A. to C. [Unchanged.]

D. With respect to home improvement grants and rehabilitation loans pursuant to parts 4900.0610 to 4900.0700 to be made by the agency, those persons and families ~~whose adjusted income does not exceed $7,000 and~~ whose assets~~, excluding the property to be improved, does~~ do not exceed $25,000, and

(1) with respect to home improvement grants and rehabilitation loans defined in part 4900.0610 as deferred loans, those persons and families whose adjusted income does not exceed $7,000; or

(2) with respect to rehabilitation loans defined in part 4900.0610 as revolving loans, those persons and families:

(a) in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington whose adjusted income does not exceed $15,000; and

(b) in all other counties whose adjusted income does not exceed $12,000.

E. [Unchanged.]

4900.0610 SCOPE.

Rules in parts 4900.0610 to 4900.0700 govern the home improvement grant program authorized by *Minnesota Statutes,* section 462A.05, subdivision 15 and the rehabilitation loan program authorized by *Minnesota Statutes,* section 462A.05, subdivision 14a. The agency is authorized to make rehabilitation loans with or without interest or periodic payments. In parts 4900.0610 to 4900.0700 loans made with interest and periodic payments shall be referred to as "~~flexible~~ revolving loans" and loans made without interest or periodic payments shall be referred to as "deferred loans."

~~In addition to the requirements of parts 4900.0610 to 4900.0700, a flexible loan must meet the requirements of parts 4900.0510 and 4900.0520, except that the applicant for a flexible loan need not be a reasonable credit risk as required in part 4900.0510, subpart 3, and the structure to be improved need not be at least 15 years old as required by part 4900.0510, subpart 4.~~

4900.0630 ELIGIBLE RECIPIENTS OF REHABILITATION GRANTS AND LOANS.

Subpart 1. to 3. [Unchanged.]

Subp. 4. **Deferred loan assets.** "Assets" for purposes of deferred loans described in parts 4900.0610 to 4900.0700 ~~shall be~~ is the sum of the following, after deducting any outstanding indebtedness:

A. to E. [Unchanged.]

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

Subp. 5. **Revolving loan assets.** Assets for the purposes of revolving loans is the sum of the following, after deducting any outstanding indebtedness:

A. cash on hand or in checking or savings accounts;

B. securities or United States Savings Bonds;

C. market value of all interests in real estate, exclusive of the structure to be improved and a parcel of real property of not more than two contiguous platted lots or 160 contiguous acres on which such structure is located;

D. cash value of life insurance policies; and

E. all other property, exclusive of household furnishings, clothing, one automobile, and real estate, equipment, supplies, and inventory used in a business.

Subp. 6. **Previous revolving loans.** No applicant may receive a revolving loan to improve a property if the combined original principal amounts of revolving loans received by the applicant to improve the property will exceed $15,000, or if the outstanding balance of revolving loans will exceed the maximum loan amount in part 4900.0640, subpart 2.

Subp. 7. **Other assistance.** Applicants for receipt of revolving loans cannot be eligible for assistance provided under parts 4900.0510 to 4900.0520 and 4900.0590 to 4900.0605; or for local or federal government housing rehabilitation financing programs which may be available in the area in which the property is located.

4900.0640 AMOUNT OF GRANT OR LOAN.

Subpart 1. [Unchanged.]

Subp. 2. **Amount of loan.** The amount of the rehabilitation loan shall not exceed the lesser of ~~$7,500~~ the amount in *Minnesota Statutes*, section 462A.05, subdivision 14a, the actual cost of the work performed, or that portion of the cost of rehabilitation that the agency determines cannot otherwise be paid by the person or family without spending an unreasonable portion of the income of the person or family thereon.

Subp. 3. [See Repealer.]

4900.0660 ELIGIBLE PROPERTIES.

Grant and loan funds shall be used only to improve properties which meet the following criteria:

A. to C. [Unchanged.]

D. No property shall be eligible for a home improvement grant or deferred loan if it has been improved by such a grant or loan within the five-year period immediately preceding the date on which application for such grant or loan is made~~, except~~. No property is eligible for a revolving loan if it has been improved by a revolving loan within the two-year period immediately preceding the date on which application for the loan is made. These limitations do not apply in extraordinary circumstances relating to damage to the property as a result of events beyond the control of the applicant or to failure of plumbing, heating, or electrical systems, or defects in the roof or foundation systems, as determined by the agency in its sole discretion.

E. [Unchanged.]

REPEALER. *Minnesota Rules*, part 4900.0640, subpart 3, is repealed.

Occupational Safety and Health Review Board

Proposed Permanent Rules Relating to the Occupational Safety and Health Review Board

Notice of Intent to Adopt a Rule Without a Public Hearing

NOTICE IS HEREBY GIVEN that the Minnesota Occupational Safety and Health Review Board (hereinafter "Board") intends to adopt a rule of procedure clarifying the contested case process, enhancing effective and efficient resolution of disputes, and increasing the efficiency of the existing rule. The Board intends to adopt the rule without a public hearing following the procedures set forth in *Minnesota Statutes* §§ 14.22 to 14.28 (1986) of the Administrative Procedure Act. The statutory authority to adopt the rule is *Minnesota Statutes* §§ 14.06, 182.661, subds. 3 and 3a, and 182.664, subd. 3.

All persons have 30 days in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

STATE OF MINNESOTA

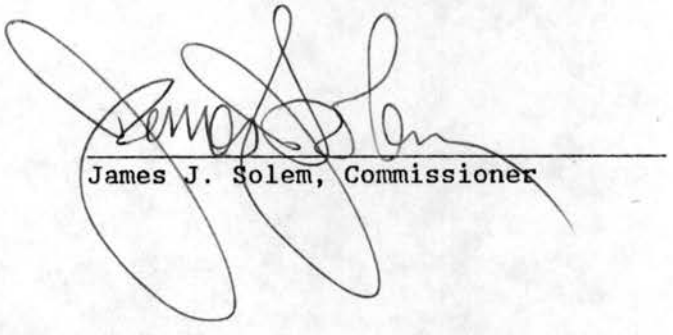
MINNESOTA HOUSING FINANCE AGENCY

In the Matter of the Proposed
Rules Relating to
Home Improvement Grants
and Rehabilitation Loan
Program
Without a Public Hearing

ORDER ADOPTING RULES

Notice of the Agency's intent to adopt the above-entitled rules without a public hearing was published in the State Register on November 28, 1988 and was sent by United States mail to all persons on the list maintained by the Agency pursuant to Minnesota Statutes Section 14.14 Subdivision 1 on November 23, 1988. After affording interested and affected persons an opportunity to submit comments for 30 days, receiving fewer than twenty-five written requests for a public hearing within the 30 day comment period, reviewing and considering the comments, supplying notice to all persons requesting notice of the date of submission of the proposed rules to the Attorney General for review, and determining the need for and reasonableness of the above-captioned rules.

NOW, THEREFORE, IT IS ORDERED that these rules identified as Rules of the Minnesota Housing Finance Agency Relating to Home Improvement Grants and Rehabilitation Loan Program are adopted this 26th day of January, 1989 pursuant to authority vested in the Agency by Minnesota Statutes 462A.06, Subdivisions 4 and 11.



James J. Solem, Commissioner

STATE OF MINNESOTA

MINNESOTA HOUSING FINANCE AGENCY

In the Matter of the Proposed
Rules Relating to
Home Improvement Grants and
Rehabilitation Loan Program
Without a Public Hearing

CERTIFICATE OF BOARD'S
RESOLUTION ADOPTING RULES

I, Robert A. Worthington, do hereby certify that I am Chairman of the Minnesota Housing Finance Agency, an agency duly authorized under the laws of the State of Minnesota, and that the following is a true, complete, and correct copy of a resolution adopted at a meeting of the Agency, duly and properly called and held on the 26th day of January, 1989, that a quorum was present at said meeting, that a majority of those present voted for the resolution and that said resolution is set forth in the minutes of said meeting and has not been rescinded or modified.

> "RESOLVED, that the rules relating to Home Improvement Grants and Rehabilitation Loan Program attached hereto as Exhibit A be and they hereby are approved and adopted pursuant to authority vested in us by Minnesota Statutes Section 462A.06, Subdivisions 4 and 11 and that James J. Solem, Commissioner of the Agency, be and hereby is authorized to sign an order adopting these rules and further is authorized to perform the necessary acts to provide that these rules shall have the force and effect of law."

IN WITNESS WHEREOF, I have hereunto subscribed my name this 26th day of January, 1989.

Chairman

STATE OF MINNESOTA

MINNESOTA HOUSING FINANCE AGENCY

In the Matter of the Proposed Adoption of the Rule of the Minnesota Housing Finance Agency Relating to Home Improvement Grants and Rehabilitation Loan Program

FINDINGS OF FACT, CONCLUSIONS, AND ORDER ADOPTING RULE WITHOUT PUBLIC HEARING

Notice of the Board's intent to adopt the above-entitled rule was published in the State Register on November 28, 1988 and was sent by United States mail to all persons on the list maintained by the agency pursuant to Minnesota Statutes, sections 14.14, subdivision 1a and 14.22 on November 23, 1988. The statement of need and reasonableness was prepared before the notice of intent to adopt a rule without a public hearing was mailed to all persons on the rulemaking mailing list and published in the State Register and was available to the public.

All persons were given the opportunity to submit comment on the rule for 30 days after notice of proposed rulemaking. No requests for a public hearing on the rule were received by the agency.

No submissions or comments on the rule were received by the agency. No requests for notice of submission to the attorney general were received by the agency.

Based on the comments and evidence in the record before the agency, I find the following:

The above-captioned rule is needed and reasonable.

NOW, THEREFORE, IT IS ORDERED that the rules identified as 4900.0010, 4900.0610, and 4900.0630 and relating to Home Improvement Grants and Rehabilitation Loan Program are adopted this 26th day of January, 1989, pursuant to authority vested in me by Minnesota Statutes, sections 462A.06 subd. 3 and 11 and by a resolution of the Board of the Minnesota Housing Finance Agency dated the 26th day of January, 1989.

Robin Hanson

Robin Hanson, Director of Finance

STATE OF MINNESOTA

MINNESOTA HOUSING FINANCE AGENCY

In the Matter of the Proposed Rules Relating to Home Improvement Grants and Rehabilitation Loan Program

STATEMENT OF COMPLIANCE WITH THE RULEMAKING PROCEDURES

I, Special Assistant Attorney General, Karl J. Herman do hereby declare that I have examined the rules and all related documents and that, based on my examination and my personal familiarity with the applicable procedures, the Administrative Procedure Act, the rules of the Office of Administrative Hearings, and the rules of the Attorney General have been followed. Any exceptions are noted below.

Dated: 1/27/89

Karl J. Herman
Special Assistant Attorney General

STATE OF MINNESOTA

MINNESOTA HOUSING FINANCE AGENCY

MAILING LIST CERTIFICATE

In the Matter of the Proposed
Rules Relating to
Home Improvement Grants and
Rehabilitation Loan Program
Without a Public Hearing

I hereby certify that the list of persons, associations and other interested groups who have requested, pursuant to Minnesota Statutes Section 14.14 Subdivision 1, that their names be placed on file with and maintained by the Minnesota Housing Finance Agency for the purpose of receiving notice of the proposed adoption of rules by this Agency is accurate and complete this 23rd day of November, 1988.

Kathleen J. Johnson

Kathleen J. Johnson

STATE OF MINNESOTA

MINNESOTA HOUSING FINANCE AGENCY

In the Matter of the Proposed Rules Relating to the Home Improvement Grants and Rehabilitation Loans Program

ORDER FOR NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING

It is ordered this 27th day of October, 1988 that a Notice of Intent to Adopt Rules Without a Public Hearing in the above-entitled matter be given to all persons who have registered their names with the Minnesota Housing Finance Agency for that purpose and be published in the State Register.

MINNESOTA HOUSING FINANCE AGENCY

James J. Solem, Commissioner